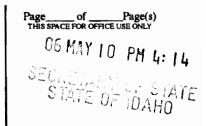
LOBBYIST MONTHLY REPORT FORM



State of Idaho

Ben Ysursa Secretary of State To Be Filed By:

LOBBYISTS (Sec. 67-6619)



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Lobbyist	's name and permanent busin			Date	prepared		Period co	vered	
John Eaton 1450 W Bannock Boise, ID 83702					5/10/06			(Day)	(Yr.)
							4	11	06
Item 1	Totals of all reporta	ble expenditures made or	incurred by Lo	bbyist or b	y Lobbyist's Empl	oyer on behalf	of Lobbyi	st's Emplo	yer.
Reimburses Expenses P	egory of Expenditure d Personal Living and Travel Pertaining to Lobbying Activity	* Total Amount for All Employers	Item 3, at bott	om of page	·				
Entertai	Not Have to be Reported inment nd Refreshment	s 354.92	Employer I	4.92	Employer No. 2	Employer I	NO. 3	Employ	er No. 4
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2	Date	Place		Amount		of Legislators &		cials in Gro	ıp
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	INS	TRUCTIONS		Item 3	E	mployer(s) Name	e(s) and Ad	dress(es)	
	o should file this form: 6617 Idaho Code.	Any lobbyist registered	under Section	No.1 1	daho Associati 450 W Bannoo	on of REAL [*] ck, Boise, ID	TORS 83702		
	ng deadline: Monthly in the for activities of the pa	•	0) days of the	No.2					
TO BE FILED WITH: Ben Y sursa Secretary of State				No.3					
	P Bois	O Box 83720 c, ID 83720-0080 4-2852 Fax: (208) 334-	2282	No.4					

ltem 4				byist or by the lobbyist's er ator, or for or on behalf of			of mon	ey or other tangible or intangible
	1	ate	Amount			Name of Legislator Receiving	or Bene	fited
Item 5	or He	ouse Bill,	Resolution or other	ion, the number of the Senate legislative activity in which		LEGISLATIVE SUB		
			vas supporting or of		Code	Subject Agriculture, horticulture,	Code 17	Subject Health service, medicine, drugs
Subject (from		Legislat	esolution or Other ive Ident. Number e Attached	Appropriation Bill Number and Section Number	02 03 04 05 06 07 08 09 10 11 12 13 14 15 16	farming, and livestock Amusements, games, athletics and sports Banking, finance, credit and investments Children, minors, youth, senior citizens Church and religion Consumer affairs Reology, environment, pollution, conservation, zoning, land and water use Education Elections, campaigns, voting, political parties Equal rights, civil rights, minority affairs Government, financing, taxation, revenue, budget, appropriations, bids, fees, funds	18 19 20 21 22 23 24 25 26 27 28 29 30	real service, neutrinis, dugs and controlled substances, health insurance, hospitals Higher education Housing, construction, codes Insurance (excluding health insurance) Labor, salaries and wages, collective bargaining Law enforcement, courts, judges, crimes, prisons License, permits License, permits Liquor Manufacturing, distribution and services Natural resources, forest and forest products, fisheries, mining and mining products Public lands, parks, recreation Social insurance, unemployment insurance, public assistance, workmen's compensation Transportation, highways, streets and roads Utilities, communications, televisions, radio, newspaper, power, CATV, gas Other (please specify)
				sbove is a true, complete and n 67-6624 Idaho Code.				
Lobbyi		\sum		5/10/ Date/	s [ce			

Bill Number and Description SENATE BILLS	IAR Position on the Issu
SERATE BILLS	MONITOR
S 1242 Eminent Domain (by Brandt and Moyle): This amendment to existing code will clarify that condemners may only condemn land needed for public use, and will require the condemner to state in the complaint that all property to be acquired is for public use. The goal is to avoid takings of private property for private use with the power of eminent domain, as in Kelo v. New London.	
S 1243 Eminent Domain (by Brandt and Moyle): This amendment to existing code shall require condemners to clearly set forth in the complaint a description of the property and property rights to be acquired. This will remove any ambiguity about which rights are being acquired as part of the condemnation, and shall give the condemner the right to make that decision, via an order or other resolution entered by the condemner. This will prevent any ambiguity or argument about what is or is not being taken via condemnation.	MONITOR
S 1244 Eminent Domain (by Brandt and Moyle): This statue shall provide that the power of eminent domain may only be used to acquire land for public purposes, not for private purposes, and is in direct response to the Kelo v. New London decision. The intent is to prevent condemners from condemning land under the guise of public use and then transferring the property for private use. Most takings currently are transportation related in Idaho, but nothing in existing law expressly prohibits taking for private use, and this has been a growing national problem. This bill expressly provides that takings for private use are not authorized by Idaho law.	MONITOR
<u>S 1245 Eminent Domain (by Brandt and Moyle):</u> This modification to existing code would require the condemner to stand by its last pre-litigation offer and set that amount as a floor for just compensation; if the condemner asserted the amount was just compensation prior to filing suit, it cannot assert less than that amount for just compensation after suit is filed. This would ensure that good faith and the spirit of the Constitution are complied with, as condemners are charged with the constitutional obligation to assess and pay just compensation, not the lowest price they can convince a judge or jury to award.	MONITOR
<u>S 1246 Eminent Domain (by Brandt and Moyle)</u> : This section will ensure that relocation benefits are uniformly payable to individuals displaced by eminent domain. Currently, when property is acquired via eminent domain for a highway, displaced individuals receive relocation assistance. However, when property is condemned for purposes other than highways, relocation assistance is not expressly required under the current statutes (though many condemners voluntarily pay relocation benefits). This bill will ensure that all Idaho citizens who are displaced by eminent domain receive equal relocation assistance (as defined in existing code), regardless of the entity which is condemning their property or the purpose of the taking.	MONITOR
<u>S 1247 Eminent Domain (by Brandt and Moyle):</u> The purpose of this revision to Idaho Code Section 7-721 is to clarify that the "Quick Take" procedure, which allows condemning authorities to take possession of private property prior to trial, is available to all condemning authorities. Currently, the statues contains a list of condemners and projects which is not all-inclusive; therefore there are some condemners which cannot take possession of property being condemned by eminent domain until after a Commissioner's Hearing and a trial on the issue of valuation.	1
<u>\$ 1248 Eminent Domain (by Brandt and Moyle)</u> : Kelo highlighted the need to restore balance in the area of eminent domain. One way to address this is by providing that private property owners in condemnation do not receive less than just compensation by having to pay costs and attorneys fees to prove that the condemner's assessment of just compensation was not fair; this bill allows reimbursement of reasonable costs and attorneys fees incurred by owners who prevail in condemnation cases.	MONITOR
<u>S 1249 Eminent Domain (by Brandt and Moyle):</u> Kelo highlights the need to restore the balance between property owners and condemners. This statute will require the condemning authority to disclose its assessment of just compensation to the property owner within three months of serving a Complaint for condemnation.	
<u>\$ 1254 Eminent Domain (by Brandt and Moyle):</u> Sets up a new chapter of statute called "Protection of Real Private Property Rights" that allow for aribtration proceedings on "takings" claims	MONITOR
<u>S 1255 Uniform Environmental Covenants Act:</u> Deals with the future use of contaminated real estate or brownfields. The act provides clear rules for a perpetual real estate interest - an environmental covenant - to regulate the use of brownfields when real estate is transferred from one owner to another.	MONITOR
<u>S 1273 Eminent Domain (by Brandt and Moyle):</u> This bill would clarify that in condemnation cases, all questions of fact except those prerequisite to the taking (as determined by statute) are decided by a jury, not a Judge, upon request of either party.	

S 1280 Homeowner's Exemption to \$100k; This legislation will update the homeowner property tax exemption by increasing the limit of the exemption to \$100,000 (from the current limit of \$50,000), include the value of land in the calculation of property value, and index the exemption for inflation so that the value of the exemption does not fall behind inflation.	OPPOSE
S 1290 Public Financing of Elections (by Senate D's): Provides for public financing of elections in daho.	OPPOSE
<u>\$1296 Tenant at Sufferance:</u> The purpose of this legislation is to extend Idaho's unlawful detainer action (eviction proceeding) to a tenant at sufferance.	SUPPORT
61310 Boundary By Agreement: This amendment to existing code would require that to adversely possess real property using boundary by agreement (including boundary by acquiesce) a written agreement fixing the boundary between adjoining parcels or real property must be provided.	MONITOR
\$1311 Adverse Possession: Takes timeline from 5 years to 20 yrs.	MONITOR
S1360 Real Estate Commission Houskeeping Bill: This is the annual Housekeeping bill from the commission	SUPPORT
S1377 School Facilities Funding: Allows for additional funding in high growth districts.	MONITOR
Wheth Lab Cleanup Rules: These are the rules from the Department of Health and Welfare that implement S1122 the IAR sponsored last session.	SUPPORT
HOUSE BILLS	
H. 408 Eminent Domain (by Speaker and Governor): This legislation adds a new Section 7-701A, Idaho Code, to provide that the right of eminent domain may be exercised on behalf of a public use, to provide that conveyance of a condemned property or an interest in a condemned property to a private party shall not be a public use and to provide application. Sections 50-2018 and 50-2903, Idaho Code, are amended to further define the terms "deteriorated area" and "deteriorating area" and make technical corrections.	SUPPORT
H 415 Campaign Contributions (By SecState): The purpose of this legislation is to amend the Sunshine Law to clarify that campaign contributions from affiliated entities be aggregated for the purposes of contribution limits. Other states with contribution limits and the Federal Election Campaign Act both contain similar provisions. Contribution limits are meaningless if splinter groups are each allowed a separate contribution limit.	SUPPORT
H 418 School M&O Levys (by Crow, Clark, Moyle): This legislation lowers the public school property tax Maintenance & Operations (M&O) budget limit from 0.3 percent of the property tax value base to 1.5 percent of the property tax value beginning in property tax year 2006. Revenue losses to the school districts under this change will be paid from the general fund. Also, a budget growth cap is applied that limits non-voter approved school property tax budgets to 3% plus the value of new construction. This legislation provides a 3% cap statewide for school property taxes and would provide that property tax replacement would grow at a rate of 3 percent each year.	SUPPORT W/ NO OFFSETTING TAX INCREASE
H 419 Property Taxes (by Crow, Clark, Moyle): This legislation will eliminate the "forgone amount" concept in developing budgets for taxing districts. It limits the carry over period of the unused portion of growth increase to the following year. When the foregone balance is taken, it will not be used in future budget calculations. Additionally this legislation limits the use of new construction in the year that it occurs and the new construction will not be used in future years.	SUPPORT
H 420 Property Taxes (by Crow, Clark, Moyle): The purpose of this legislation is to put a moratorium or the ratio study for 2006 values. The net effect is that property taxes will not increase for one year.	MONITOR
	OPPOSE
H 421 Property Taxes (by Interim Committee): This legislation expands the home owners exemption from the lower of 50% of assessed valuation or \$50,000 to the lower of 50% of assessed valuation or \$75,000. It also indexes the maximum allowable deduction for succeeding years to cost of living adjustments as determined by the federal government.	

	OPPOSE
H 424 Property Taxes (by Interim Committee): This legislation reduces the maximum property tax levy for Maintenance and Operations of schools from .3% to .15%. It also repeals .10% of property tax replacement which has been capped at \$75,000,000 and is currently being funded through the general fund.	MONITOR
H 425 Property Taxes (by Interim Committee): This legislation authorizes the Idaho Housing and Finance Association, Director of the Department of Insurance and the Director of the Department of Finance to promulgate rules authorizing their respective participants to engage in the issuance of reverse mortgages to persons over 62 years of age for the purpose of paying property taxes that they otherwise may not be able to afford.	OPPOSE
H 426 Property Taxes (by Interim Committee): This legislation allows school districts to impose an impact fee of \$2.50/sq.ft. on new residential construction.	OPPOSE
H 427 Property Taxes (by Interim Committee): This legislation provides that land that is being developed into rural home sites must meet the requirements of the agriculture exemption in order to receive the benefit of the exemption.	MONITOR
H 428 Property Taxes (by Interim Committee): This legislation repeals the rural development plot agricultural exemption.	MONITOR
H 429 Property Taxes (by Jaquet): This legislation repeals the \$75 million dollar cap placed in fiscal year 2005 on Governor Batt's property tax replacement legislation/statute of 1995. The statute authorized the state of Idaho to compensate Idaho school districts 1/10th of 1% of market value for district maintenance and operations (M&O). Tied to market value, with the rapidly escalating home values across Idaho, districts have been unable to access additional dollars from property tax replacement because of the cap.	MONITOR
H 437 Property Taxes (by governor): This bill increases the income brackets for low income elderly, widowed, and disabled homeowners who qualify for the "circuit breaker" property tax relief program. It will increase the maximum income level from \$22,630 in 2005 to \$30,000 in 2006.	SUPPORT
H 438 Property Taxes (by governor): This bill ends the rural home site development exemption from property tax as of January 1, 2006, but extends the exemption for properties eligible for the exemption in 2005.	MONITOR
	OPPOSE
H 439 Property Taxes (by governor): This bill would allow individual homeowners with low incomes who are elderly, disabled or widowed and who qualify for "circuit breaker" property tax relief to postpone payment of property taxes on their homes. To qualify, the homeowner must own at least half the equity in the home and the home must not be co-owned by other persons (other than a spouse) or be held in trust or subject to a life estate. The taxes and interest (at 6%) would become payable when both the homeowner and the spouse have died or the property is sold or it no longer qualifies for the homeowner's exemption. The state will reimburse counties and local governments for the tax that is not collected in the current year, up to an annual maximum of \$500,000. Repayment, when due, is to the state. The payments are deposited in a dedicated fund to be used for financing future property tax deferrals. Until the tax is paid, the state is protected by the continuation of the existing property tax lien on the property.	
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	OPPOSE
IB 460 (by Tax Commission): This bill amends the Idaho Income Tax Act to require a withholding tax then individual nonresidents, or business entities without a permanent place of business in Idaho, sell taho real property. Withholding would not be required when individual residents, or business entities with a permanent place of business in Idaho, sell Idaho real property.	OPPOSE
HB 470 (by McKague): Provides that the owner-occupied homestead used as the primary dwelling place of an individual who is at least seventy (70) years of age; has paid Idaho real property taxes on Idaho residential real property continuously for the immediately preceding ten(10) years, and who is the record owner holding title or who has retained or been granted a life estate, may apply for an exemption from the ax on the property each year upon application. If the owner dies, after the exemption has been approved, it shall be in force for the rest of the year.	OPPOSE
HB 478 (by Crow, Moyle, Clark): The proposed legislation limits all property tax portions of any budget of a three percent (3%) increase per year.	MONITOR
HB 479 (by Crow, Moyle, Clark): The legislation allows for M&O to grow at three percent (3%) per year and replaces all M&O property taxes with any state-generated revenues over eight percent (8%) growth per year.	MONITOR
HB 480 (by Moyle): This legislation will amend Chapter 8, Title 63, Idaho Code. By a vote of the people a taxing district budget could be limited. The legislation would exempt school budgets.	MONITOR
HB 481 (by Crow, Moyle, Clark): This legislation applies a moratorium on all taxing districts for fiscal years 2006 and ending in 2007 on the certification of budget requests to finance the property tax portion of their operating budgets.	MONITOR
HB 482 (by Schaeffer): This legislation enacts a new section 63-105FF to provide an exemption from taxation for the tax year 2007, and thereafter of that portion of the market value for assessment purposes of residential improvements which exceeds the market value for assessment purposes of the same property for the year 2006. The value remains the same for the property for taxation purposes until a	OPPOSE
transfer of ownership occurs or major improvements are made, at which time the property is reappraised with the new value becoming the valuation for assessment purposes and the new base value for the exemption. The residential improvements must be owner-occupied and the primary dwelling place of the owner as of January 1, 2006, or the date of the transfer of ownership. The exemption is not self-	
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1B 504 (by Werk, et.al.): This legislation works within the existing framework of our impact fee code to provide impact fees for the construction of K-12 education facilities related to growth. School districts are given very limited authority to enact an impact fee ordinance (in conformance with all existing equirements) and expenditure of fees are allowed only within the county where they are collected.	OPPOSE
HB 505 Property Taxes (by Roberts): M&O to state w/ 1 cent sales tax increase.	OPPOSE
1B 506 Property Taxes (by LaFavour): Add a class of citizens to the circuit breaker.	MONITOR
HB 507 Property Taxes (by McGeachin): Freeze assessments for one year, commission a study.	MONITOR
HB 508 Property Taxes (by Roberts): The purpose of this legislation is to place a limit on the value of annexations.	OPPOSE
HB 509 Property Taxes (by Roberts): The purpose of this legislation is to place a limit on the value of new construction.	OPPOSE
HB 510 Property Taxes (by Roberts, Raybould and Jaquet): Developer's Discount.	MONITOR
H532 Transfer Taxes (by Jaquet): Would impose a 1% transfer tax at local option - also statewide mandatory sales price disclosure.	STRONGLY OPPOSE
H552 Bullding Code Board Authority: Allows the state Building Code Board to amend the adopted building codes.	OPPOSE
H555 Eminent Domain (by Speaker and governor): This is a redraft of H408 with support from cities and counties	SUPPORT
H569 Developer's Discount (by Tamarack Resort): Repeal exemption, create new exemption	MONITOR
H584 Residential Mortgage Practices (by Dept. of Finance): The purpose of this bill is to amend the Idaho Residential Mortgage Practices Act to definitively establish that engaging in mortgage brokening, mortgage lending, or mortgage loan origination activities in Idaho without a license is a violation of the Act	MONITOR
H658 Developer's Discount (by Barrett): The purpose of this legislation is to provide exemption from taxation for the speculative portion of the value of each parcel of land in a rural homesite development plat until such time as improvements are being built upon the parcel, or any interest in the ownership of the parcel is sold or transferred to an unrelated entity and to provide definitions.	MONITOR
<u>H676 Developer's Discount (by Lake, Raybould, Roberts)</u> : This legislation repeals the partial exemption for parcels of land in a rural home site development plat (Idaho code 63-602FF). It also provides that platting land actively devoted to agriculture or transferring a parcel to a child or spouse doe not alone cause the land to lose its agriculture exemption.	MONITOR
H677 Impact Fees for Schools (by Lake, Moyle, Clark, Keough): This legislation allows school districts to impose an impact fee on new residential construction of up to \$2.50/square foot. The revenue will first be used to abate unsafe school facilities and then to retire school district bonded indebtedness.	OPPOSE

H679 Sales Tax Increase (by Roberts, Lake): Raises sales tax 1/2 cent to pay for moving 1.5 mills off the M&O Levy.	OPPOSE
H680 Property Tax Deferral (rewrite of guvs bill): This bill would allow individual homeowners with low noomes who are elderly, disabled or widowed and who qualify for circuit breaker" property tax relief to postpone payment of property taxes on their homes.	SUPPORT
H690 School Maintenance Funding (by Denney, Bedke): Would provide a funding mechanism for unsafe schools.	SUPPORT
H691 School Maintenance Funding (by Rusche, Ringo):	MONITOR
HT20 Taxing District Notices (by Moyle): Requires mailers to all property tax payers in advance of any property tax election.	SUPPORT
H732 Homes Sold for Tax Auction (by Hart): Would provide that when a home is sold at auction for burposes of tax collection, and revenues remaining beyond the taxes due would be remitted to the owner.	OPPOSE
4743 School Maintenance Funding (by Leadership): Provides funding mechanism for unsafe schools	SUPPORT
H779 Annexation Reform: Would require that annexations be able to be vetoed by a vote of the registered voters in the area to be annexed.	OPPOSE
HT80 Impact Fees: Would streamline the ordinance proces, and allow local jurisdictions 8 years to expend the funds	SUPPORT
H781 Property Tax Notification: Would make counties show which portion of property taxes collected for schools went to which purpose.	SUPPORT
H823 Building Code Board Additions: Would add three builders to the Idaho Building Code Board.	SUPPORT
H876 Property Taxes: 3 mils w/ 1.25 cent sales tax plus HOE w/ HPI.	OPPOSE
HJR5 Constitutional Amendment on Eminent Domain: Would amend the state Constitution to outlaw all uses of eminent domain for economic development purposes.	OPPOSE